APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER
NGUYEN, LE V

ART UNIT	PAPER NUMBER
2174	

DATE MAILED: 12/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/757,406	ROSENBERG, ALEXANDER M.
	Examiner	Art Unit	
	Le Nguyen	2174	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>26 July 2004</u>.

2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-72</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-72</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   This communication is responsive to an amendment filed 7/26/04.

2.   Claims 1-~~22~~ 12 are pending in this application. Claims 1, 14, 18, 25, 38, 42, 49, 62

and 66 are independent claims; and, claims 1, 4-8, 14, 18, 25, 28-33, 38, 42, 46, 49, 52-

57, 62, 66 and 70 have been amended. This action is made Final.

3.   The text of those sections of Title 35, U.S. Code not included in this action can

be found in a prior Office action.

Claim Rejections - 35 USC § 103

4.   Claims 1-4, 25, 26, 28, 49, 50 and 52 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Keller et al. ("Keller") in view of Kurashina et al. ("Kurashina").

       As per claim 1, although Keller teaches a method for operating a data processing

system, the method comprising receiving a writeable media into a drive system that is

coupled to the data processing system or DPS, receiving an instruction to write or erase

first data on the writeable media and receiving through a GUI a command to eject the

writeable media from the drive system (fig. 2; col. 5, lines 1-13), Keller does not

explicitly disclose that upon the command to eject the writeable media from the drive

system, the DPS writes or erases the first data on the writeable media. Kurashina

teaches upon the command to eject the writeable media from the drive system, the DPS

writes or erases the first data on the writeable media (col. 11, lines 56-58; col. 12, lines

7-9). Therefore, it would have been obvious to an artisan at the time of the invention to

include Kurashina's teaching of writing or erasing the first data on the writeable media upon the command to eject to Keller's teaching of writing or erasing the first data on the writeable media and receiving through a GUI a command to eject the writeable media from the drive system to prevent data from accidentally being cleared.

As per claim 2, the modified Keller teaches a method for operating a data processing system, the method wherein the writeable media is an optical disc (Kurashina: Abstract; figs. 1(A-D)).

As per claim 3, the modified Keller teaches a method for operating a data processing system, the method wherein the optical disc is a CD-R disc or CD-RW disc or DVD disc (Keller: col. 25, lines 1-14; Kurashina: figs. 1(A-C)).

As per claim 4, the modified Keller teaches a method for operating a data processing system, the method wherein the writeable media is blank when the receiving of the writeable media is performed (Kurashina: fig. 1A).

Claims 25 and 49 are individually similar in scope to claim 1 and are therefore rejected under similar rationale.

Claims 26 and 50 are individually similar in scope to claim 2 and are therefore rejected under similar rationale.

Claims 28 and 52 are individually similar in scope to claim 4 and are therefore rejected under similar rationale.

Claim Rejections - 35 USC § 103

5.   Claims 5, 9-11, 14, 18-23, 27, 29, 33-35, 38, 42-47, 51, 53, 57-59, 62 and 66-71

are rejected under 35 U.S.C. 103(a) as being unpatentable over Keller et al. ("Keller") in

view of Kurashina et al. ("Kurashina").

As per claim 5, although the modified Keller teaches a method for operating a

data processing system, the method comprising displaying on a display device coupled

to the DPS, a prompt to a user with at least two selectable options which allow a user

to: (1) eject the writeable media or (2) use the writeable media (Keller: fig. 2; col. 5, lines

13-44; buttons 53-63), the modified Keller does not explicitly disclose automatically, in

response to the inserting, a prompt to a user with at least two selectable options. Official

Notice is taken that prompting a user with selectable options upon inserting a writeable

media is well known in the art. Therefore, it would have been obvious to an artisan at

the time of the invention to include prompting a user with selectable options upon

inserting a writeable media to the modified Keller's teaching of prompting a user with

selectable options concerning the use of a writeable media in order to provide a user

friendly help system that coach users to the next conclusive step or that notifies users of

available options.

As per claim 9, the modified Keller teaches a method for operating a data

processing system, the method wherein if the use selectable option is selected, creating

automatically, in response to the use selectable option being selected, a data file on a

storage device which is coupled to the DPS prior to writing data to the writeable media

(Keller: col. 12, lines 37-42).

As per claim 10, the modified Keller teaches a method for operating a data processing system, the method wherein the data file represents an entire capacity of the writeable media (Keller: col. 12, lines 37-42).

As per claim 11, the modified Keller teaches a method for operating a data processing system, the method wherein the data file represents a data cache for the writeable media (Keller: col. 12, lines 37-42; *before being saved onto a compact disc, such as a CD-R or CD-RW, the data is saved in data storage as files where the digital files represents a sort of data cache that can be reviewed*).

Claim 14 is similar in scope to the combination of claims 4-5 and 9 and is therefore rejected under similar rationale.

Claim 18 is similar in scope to the combination of claims 1 and 9 and is therefore rejected under similar rationale.

Claims 19, 34, 43, 58 and 67 are individually similar in scope to claim 10 and are therefore rejected under similar rationale.

Claims 20, 35, 44, 59 and 68 are individually similar in scope to claim 11 and are therefore rejected under similar rationale.

Claims 21, 27, 45, 51 and 69 are individually similar in scope to claim 3 and are therefore rejected under similar rationale.

As per claim 22, the modified Keller teaches a method for operating a data processing system, the method comprising displaying automatically, in response to the receiving and on a display device coupled to the DPS, a prompt to a user with at least

two selectable options which allow a user to (1) eject the writeable media or (2) use the writeable media (Keller: fig. 2; col. 5, lines 13-44; buttons 53-63).

As per claim 23, the modified Keller teaches a method for operating a data processing system wherein the creating follows after the user selects to use the blank writeable media (Keller: Abstract; fig. 2; col. 5, lines 1-38; Kurashina: fig. 1A).

Claims 29 and 53 are individually similar in scope to claim 5 and are therefore rejected under similar rationale.

Claims 33 and 57 are individually similar in scope to claim 9 and are therefore rejected under similar rationale.

Claim 38 is similar in scope to the combination of claims 4-5 and 9 and is therefore rejected under similar rationale.

Claim 42 is similar in scope to the combination of claims 1 and 9 and is therefore rejected under similar rationale.

Claims 46 and 70 are individually similar in scope to claim 22 and are therefore rejected under similar rationale.

Claims 47 and 71 are individually similar in scope to claim 23 and are therefore rejected under similar rationale.

Claim 62 is similar in scope to the combination of claims 4-5 and 9 and is therefore rejected under similar rationale.

Claim 66 is similar in scope to the combination of claims 1 and 9 and is therefore rejected under similar rationale.

6.   Claims 6, 7, 12, 13, 30, 31, 36, 37, 54, 55, 60 and 61 are rejected under 35

U.S.C. 103(a) as being unpatentable over Keller et al. ("Keller") in view of in view of

Kurashina et al. ("Kurashina") as applied to claims 2, 26 and 50, and further in view of

Moore et al. ("Moore").

As per claim 6, although the modified Keller teaches a method for operating a

data processing system, the method comprising displaying on a display device coupled

to the DPS, a prompt to a user with at least two selectable options which allow a user

to: (1) eject the writeable media or (2) use the writeable media (Keller: fig. 2; col. 5, lines

13-44; buttons 53-63), the modified Keller does not explicitly disclose displaying

automatically, in response to the receiving of the writeable media and on a display

device coupled to the DPS, *an icon*, displayed on a desktop interface of the DPS.

Moore's background of the invention discloses a method for operating a data

processing system, the method comprising displaying automatically, in response to the

inserting and on a display device coupled to the DPS, an icon, displayed on a desktop

interface of the data processing system (col. 1, lines 17-26). Therefore, it would have

been obvious to an artisan at the time of the invention to include The modified Keller's

method of displaying automatically, in response to the inserting and on a display device

coupled to the DPS, a context menu of the writeable media to Moore's method of

displaying automatically, in response to the inserting and on a display device coupled to

the DPS, *an icon*, displayed on a desktop interface of the DPS in order to provide users

with quicker access to often used functions or applications.

As per claim 7, the modified Keller teaches a method for operating a data processing system, the method wherein the icon may be directly used through the GUI to write data on the writeable media (Moore: col. 1, lines 17-26; Keller: fig. 1).

As per claim 12, the modified Keller teaches a method for operating a data processing system, the method wherein the icon is directly used by a method which includes one of (a) dragging and dropping of at least an icon onto the icon, or (b) copying and pasting the at least an icon onto the icon (Moore: col. 1, lines 17-26).

Claims 30 and 54 are individually similar in scope to claim 6 and are therefore rejected under similar rationale.

Claims 31 and 55 are individually similar in scope to claim 7 and are therefore rejected under similar rationale.

Claims 36 and 60 are individually similar in scope to claim 12 and are therefore rejected under similar rationale.

Claims 37 and 61 are individually similar in scope to claim 13 and are therefore rejected under similar rationale.

As per claim 13, although the modified Keller teaches a method for operating a data processing system, the method wherein the comprises a plurality of icons on the interface, a storage device coupled to the data processing system and data files, the modified Keller does not explicitly disclose the use of icons to represent storage devices, data files and subdirectories on a desktop interface. Official Notice is taken that the use of icons to represent storage devices, data files and subdirectories on a desktop interface are well known in the art. Therefore, it would have been obvious to an artisan

at the time of the invention to include the use of icons to represent storage devices, data

files and subdirectories on a desktop interface to the modified Keller's teaching of a

plurality of icons on the interface, a storage device coupled to the data processing

system and data files in order to provide users with a visual representation that closely

relates to the item that it represents.

7.   Claims 8, 15-17, 32, 39-41, 56 and 63-65 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Keller et al. ("Keller") in view of Kurashina et al. ("Kurashina")

as applied to claims 5, 14, 29, 38, 53 and 62, and further in view of Moore et al.

("Moore").

As per claim 8, although the modified Keller teaches a method for operating a

data processing system, the method comprising displaying automatically, in response to

the inserting and on a display device coupled to the DPS, a context menu of the

writeable media (Keller: fig. 1; col. 5, lines 9-13), the modified Keller does not explicitly

disclose displaying automatically, in response to the receiving of the writeable media

and on a display device coupled to the DPS, *an icon*, displayed on a desktop interface

of the DPS. Moore's background of the invention discloses a method for operating a

data processing system, the method comprising displaying automatically, in response to

the inserting and on a display device coupled to the DPS, an icon, displayed on a

desktop interface of the data processing system (col. 1, lines 17-26). Therefore, it would

have been obvious to an artisan at the time of the invention to include the modified

Keller's method of displaying automatically, in response to the inserting and on a display

device coupled to the DPS, a context menu of the writeable media to Moore's method of

displaying automatically, in response to receiving of the writeable and on a display device coupled to the DPS, *an icon*, displayed on a desktop interface of the DPS in order to provide users with quicker access to often used applications.

Claims 15, 32, 39, 56 and 63 are individually similar in scope to claim 8 and are therefore rejected under similar rationale.

As per claim 16, the modified Keller teaches a method for operating a data processing system wherein the icon is displayed on a desktop interface of the DPS and wherein the icon may be directly used to write data onto the blank writeable media (Moore: col. 1, lines 17-26; Keller: fig. 1).

As per claim 17, the modified Keller teaches a method for operating a data processing system wherein the icon is displayed before formatting of the blank writeable media (Keller: col. 14, line 66 through col. 15, line 60; *described is an initial view wherein users may press button 59, causing the compact disc recorder to enter a write compact disc mode*).

Claims 40 and 64 are individually similar in scope to claim 16 and are therefore rejected under similar rationale.

Claims 41 and 65 are individually similar in scope to claim 17 and are therefore rejected under similar rationale.

8. Claims 24, 48 and 72 are rejected under 35 U.S.C. 103(a) as being unpatentable over Keller et al. ("Keller") in view of Kurashina et al. ("Kurashina").

As per claim 24, although the modified Keller teaches a method for operating a data processing system, the method wherein the storage device is a disk drive for the

DPS and contains an operating system for the DPS (Keller: col. 11, lines 17-43), the
modified Keller does not explicitly disclose the drive to be a boot drive. Official Notice is
given that a method wherein the storage device is a boot drive is well known in the art.
Therefore, it would have been obvious to an artisan at the time of the invention to
include a method wherein the storage device is a boot drive to the modified Keller's
method wherein the storage device is a disk drive in order to provide users with a
method of selecting a drive to be the default drive that automatically loads the operating
system when the computer is turned on.

Claims 48 and 72 are individually similar in scope to claim 24 and are therefore
rejected under similar rationale.

Response to Arguments

9.   Applicant's arguments with respect to claims 1-72 have been considered but are
moot in view of the new ground(s) of rejection.

Conclusion

10.   Applicant's amendment necessitated the new ground(s) of rejection presented in
this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP
§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37
CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE
MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Inquires

11.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Examiner Lê Nguyen whose telephone number is **(571)**

272-4068. The examiner can normally be reached on Monday - Friday from 7:00 am to

3:30 pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Kristine Kincaid, can be reached on (703) 308-0640.

The fax numbers for the organization where this application or proceeding is

assigned are as follows:

(703) 872-9306 [Official Communication]

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is (703) 305-

3900.

LVN
Patent Examiner
November 18, 2004

Kristine Kincaid
KRISTINE KINCAID
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100